

Message Text

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PAGE 01 MOSCOW 04011 130214 Z

61

ACTION EUR-25

INFO OCT-01 ADP-00 IO-12 CIAE-00 DODE-00 PM-09 H-02 INR-10

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

GAC-01 MBFR-03 SAJ-01 TRSE-00 NIC-01 RSR-01 /111 W
----- 057543

R 120850 Z APR 73

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 7907

INFO USMISSION BERLIN

AMEMBASSY BONN

USMISSION NATO BRUSSELS

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C O R R E C T E D C O P Y -- EO, TAGS & SUBJECT LINES --

E. O. 11652: N/A

TAGS: PFOR, UR, WB

SUBJ: SOVIET RESPONSE ON EXTENSION OF INTERNATIONAL AGREEMENTS
TO BERLIN

1. I WAS CALLED IN LATE APRIL 11 BY KORNIENKO, CHIEF USA
DIVISION MFA BUT WAS RECEIVED BY HIS DEPUTY MIKHAYLOV BECAUSE
KORNIENKO WAS SUDDENLY CALLED AWAY. MIKHAYLOV HANDED OVER NOTE
NO. 27/ USA WHICH IS A RESPONSE TO OUR NOTE FEBRUARY 22 ON
THE ABOVE SUBJECT. EMBASSY TRANSLATION FOLLOWS.
BEGIN TEXT.

THE MINISTRY OF FOREIGN AFFIARS OF THE UNION OF SOVIET
SOCIALIST REPUBLICS PRESENTS ITS COMPLIMENTS TO T E EMBASSY OF
THE UNITED STATES OF AMERICA AND, WITH REGARD TO THE NOTE OF
THE GOVERNMENT OF THE USA OF FEBRUARY 22, 1973, HAS THE HONOR
ON INSTRUCTIONS OF THE SOVIET GOVERNMENT TO STATE THE FOLLOWING:
THE GOVERNMENT OF THE USSR CANNOT AGREE WITH THE OPINION
EXPRESSED IN THE ABOVE- MENTIONED NOTE ABOUT THE PERMISSIBILITY
OF USING THE FORMULA " LAND BERLIN" IN LAWS OF THE FRG WITH
REGARD TO THE EXTENSION OF INTERNATIONAL AGREEMENTS TO WEST
BERLIN. ANY ACT OF THE FRG TOUCHING ON WEST BERLIN CANNOT BE
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PAGE 02 MOSCOW 04011 130214 Z

CONSIDERED ITS INTERNAL AFFAIR INASMUCH AS THE WESTERN SECTOR OF BERLIN IS NOT A CONSTITUENT PART OF THE FRG AND CANNOT BE GOVERNED BY THE FRG; THIS WAS ESTABLISHED BY THE QUADRIPARTITE AGREEMENT AND IS EMPHASIZED EVEN IN THE NOTE OF THE GOVERNMENT OF THE USA.

THE QUADRIPARTITE AGREEMENT ENVISAGES THAT INTERNATIONAL AGREEMENTS AND UNDERSTANDINGS CONCLUDED BY THE FRG CAN BE EXTENDED TO "THE WESTERN SECTORS OF BERLIN" BUT BY NO MEANS TO "LAND BERLIN." THIS FACT SPEAKS FOR ITSELF AND DOES NOT REQUIRE ANY KIND OF ELABORATION OR COMMENTARY. IT IS APPROPRIATE IN THIS CONNECTION TO NOTE THAT IN A SERIES OF TREATIES AND AGREEMENTS OF THE SOVIET UNION, THE GDR AND POLAND, CONCLUDED WITH THE FEDERAL REPUBLIC OF GERMANY AFTER THE ENTRY INTO FORCE OF THE QUADRIPARTITE AGREEMENT, A FORMULA WAS USED FOR THE DESIGNATION OF WESTERN BERLIN WHICH IS FULLY IN ACCORD WITH THE QUADRIPARTITE AGREEMENT.

THE SOVIET UNION, AS A PARTICIPANT IN THE QUADRIPARTITE AGREEMENT, WILL AS BEFORE PROCEED STRICTLY ON THE BASIS OF THE PROCEDURE AND FORM ESTABLISHED BY AGREEMENT FOR EXTENDING TO THE WESTERN SECTORS OF BERLIN INTERNATIONAL AGREEMENTS OF THE FRG, AND EXPRESSED THE HOPE THAT THE SAME APPROACH TO THIS MATTER WILL BE DISPLAYED BY THE GOVERNMENT OF THE USA.

MOSCOW, APRIL 11, 1973

END TEXT

2. AFTER READING NOTE, I SAID THAT COMMUNICATION OF FEBRUARY 22 SET FORTH USG POSITION ON THIS MATTER VERY CLEARLY. I THEREFORE HAD NOTHING TO ADD BUT WOULD, OF COURSE, TRANSMIT THE SOVIET NOTE TO WASHINGTON. (I DID NOT MAKE ANY COMMITMENT REGARDING A FURTHER RESPONSE SINCE MY INITIAL REACTION TO THE SOVIET WAS THAT IT MAY MERELY HAVE BEEN CONVEYED FOR THE RECORD.)

3. FRENCH AND BRITISH EMBASSIES RECEIVED SIMILAR NOTES.
DUBS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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